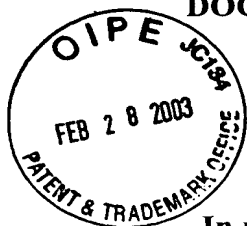


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DOCKET NO.: JJCC-0003/JBP528

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Steven A. Shaya,  
Neal Matheson, John A. Singarayar,  
Nikiforos Kollias, and Jeffrey Adam  
Bloom

Confirmation No.: 7651

Serial No.: 09/981,516

Group Art Unit: 2161

Filing Date: October 17, 2001

Examiner: Unassigned

For: Intelligent Performance-Based Product Recommendation System

EXPRESS MAIL LABEL NO: EY251289919US  
DATE OF DEPOSIT:

RECEIVED  
MAR 07 2003  
GROUP 3600

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

**PRELIMINARY AMENDMENT PURSUANT TO 37 CFR § 1.115**

This is a preliminary amendment filed in connection with the above-identified application. An Official Action on the merits has not yet been issued. Accordingly, applicants respectfully request entry of this amendment.

**AMENDMENT**

**In the claims:**

Please amend claim 42 to read:

A1 42. A system for generating individualized product recommendations, comprising:  
a database containing product information and consumer information; and  
an intelligent performance-based product recommendation engine in  
communication with the database,  
wherein the individualized product recommendations are generated by the product



DOCKET NO.: JJCC-0003/JBP528

PATENT

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In Re Application of:

Steven A. Shaya, Neal Matheson, John A.  
Singarayar, Nikiforos Kollias, and Jeffrey  
Adam Bloom

Confirmation No.: 7651

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Filing Date: October 17, 2001

Examiner: Unassigned

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EXPRESS MAIL LABEL NO: EV251289919US  
DATE OF DEPOSIT: February 28, 2003

EV251289919US

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☐ AF

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Assistant Commissioner for Patents  
Washington DC 20231

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☒ A Preliminary Amendment.
- ☐ An Amendment Responsive to the Office Action Dated
- ☐ An Amendment Supplemental to the Paper filed
- ☐ Other:
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
  - ☐ an Independent Inventor

- ☐ a Small Business Concern
- ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows:
- ☐ Other Material as follows:

## FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	97	102 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIMS	4	4 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$ 0

- ☐ A check in the amount of \$ .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of \_\_\_\_\_ to and through \_\_\_\_\_ comprising an extension of the shortened statutory period of \_\_\_\_\_ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.

☒ Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: February 28, 2003



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